

Assembly Bill No. 2280

Passed the Assembly August 31, 2016

Chief Clerk of the Assembly

Passed the Senate August 30, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 50474.22 to the Government Code, relating to rental companies, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2280, Ridley-Thomas. Rental companies: customer facility charge.

Existing law authorizes airports to require rental companies to collect a customer facility charge for specified purposes and requires airports to provide certain audits and reports regarding those fees to specified committees of the Legislature.

This bill would authorize the Los Angeles International Airport to charge those same fees for additional specified purposes and would require that airport to provide certain audits and reports regarding those fees to specified committees of the Legislature.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Los Angeles International Airport.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 50474.22 is added to the Government Code, to read:

50474.22. (a) For purposes of this section, “customer facility charge” means any fee, including an alternative fee, required by the Los Angeles International Airport to be collected by a rental company from a renter for any of the following purposes:

(1) To finance, design, construct, or otherwise improve consolidated airport vehicle rental facilities.

(2) To finance, design, construct, operate, maintain, or otherwise improve common-use transportation systems that move passengers between airport terminals and those consolidated vehicle rental facilities, and acquire vehicles for use in that system.

(3) To finance, design, construct, or otherwise improve terminal modifications solely to accommodate and provide customer access to common-use transportation systems. The fees designated as a customer facility charge shall not otherwise be used to pay for terminal expansion, gate expansion, runway expansion, changes in hours of operation, or changes in the number of flights arriving or departing from the airport.

(b) The aggregate amount to be collected shall not exceed the reasonable costs, as determined by an audit by an independent auditor paid for by the airport, to finance, design, construct, operate, maintain, or otherwise improve, as applicable, those facilities, systems, and modifications. The auditor shall independently examine and substantiate the necessity for, and the amount of, the customer facility charge, including whether the airport's actual or projected costs are supported and justified, any steps the airport may take to limit costs, potential alternatives for meeting the airport's revenue needs other than the collection of the fee, and whether and to what extent rental companies or other businesses or individuals using the facility or common-use transportation system may pay for the costs associated with these facilities and systems apart from the fee from rental customers, or whether the airport did not comply with any provision of this section. Copies of the audit shall be provided to the Assembly and Senate Committees on Judiciary, the Assembly Committee on Transportation, and the Senate Committee on Transportation and Housing and shall be posted on the airport's Internet Web site. In the case of a customer facility charge for a common-use transportation system, the audit also shall consider the reasonable costs of providing the transit system or busing network pursuant to paragraph (1) of subdivision (a). Any audit required by this subdivision may be included as a part of an audit of an airport's finances.

(c) The authorization under this section for an airport to impose a customer facility charge shall become inoperative when bonds, capital contributions, availability payment contracts, lease agreements, or other forms for financing are paid or reimbursed. The maximum term for financing under this section shall not exceed 35 years.

(d) This section shall not apply to any fee, including an alternative fee, required by an airport other than the Los Angeles

International Airport to be collected by a rental company from a renter.

SEC. 2. The Legislature finds and declares that a special law is necessary and that a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances and operations of the Los Angeles International Airport.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to efficiently address pressing public safety concerns at the Los Angeles International Airport by providing necessary financing tools, it is necessary that this act take effect immediately.

Approved _____, 2016

Governor